

Appendix C

Rules of Engagement

These rules do not limit a commander's inherent authority and obligation to use all necessary means available and to take all appropriate action in self-defense of the commander's unit and other US forces in the vicinity.

CJCSI 3121.01A

Rules of engagement (ROE) are directives issued by competent military authority that delineate the circumstances and limitations under which United States forces will initiate and/or continue combat engagement with other forces encountered (JP 1-02). ROE specify when, where, against whom, and how units can use force. They may be used to control the use of force across the range of Army operations. The aggressiveness that is important in wartime must be tempered with restraint in the ambiguous environment of many stability operations and support operations.

ROE are the commander's rules for the use of force. Commanders must interpret, draft, disseminate, and train rules of engagement. The legal advisor assists the commander to develop ROE, ensuring that the rules do not improperly constrain actions and remain consistent with domestic law, international law, and policies and orders of the chain of command. Clearly stated ROE are published before Army forces are committed. The highest military authority, with input from subordinate commanders, will continually evaluate the ROE and modify them as appropriate.

In general, ROE in wartime differ from ROE in peacetime operations. War-time ROE reflect the greater necessity to use force. They provide guidelines to prevent civilian casualties and limit collateral damage; however, they permit armed forces to engage all identified enemy targets, regardless of whether those targets represent actual, immediate threats. By contrast, ROE used in many stability operations and support operations merely permit engagement in individual, unit, or national self-defense.

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BASIS OF ROE

C-1. ROE provide guidance regarding the use of force by commanders and individuals based on three types of considerations: operational requirements, policy, and law.

C-2. **Operational requirements.** Properly drafted ROE help accomplish the mission by ensuring that the force is used consistently with the overall military objective. They must support both mission accomplishment and force protection. These rules can assist the commander by preventing the unintended start of hostilities or by protecting infrastructure that may prove logistically important. ROE should be distinguished from tactical control measures, threat conditions, and arming orders. Arming orders are sometimes listed on the same cards as ROE for easy reference. Additionally, ROE should be distinguished from other policies and directives, such as weapons confiscation rules.

C-3. **Policy.** ROE reflect the political will of the civilian leadership of the armed forces. Additionally, developing and training ROE to multinational allies is an inherently political process, which may require coordination with the country team or other Department of State representatives.

C-4. **Law.** ROE also reflect domestic and international law. See Appendix B for a synopsis of legal restraints regarding the use of force.

ELEMENTS OF SELF DEFENSE

C-5. Nothing in the ROE can limit the inherent authority and obligation to use all necessary means available and take all appropriate action in self-defense of an individual or a member of Army forces. In all situations, soldiers and commanders use force based on necessity and proportionality:

- **Necessity.** Imminent danger requires a resort to force when there is a hostile act or hostile intent. A “hostile act” is the actual use of armed force—attacking. “Hostile intent” is the threat or imminent use of force.
- **Proportionality.** Force must be limited in intensity, duration, and magnitude to that required to ensure the continued safety of armed forces.

C-6. Graduated response illustrates a technique that clearly incorporates the elements of necessity and proportionality. This technique provides planned responses to an array of hostile and nonhostile threats that the force may encounter. These responses are specifically tailored to the situation and emphasize using minimal necessary force to diffuse the threat. However, graduated response includes the ability to quickly escalate to the level of force required to accomplish the mission.

CHARACTERISTICS OF EFFECTIVE ROE

C-7. Effective ROE conform to the following characteristics:

- **Tactically sound.** ROE should be used to assist in course of action development and selection, but care must be taken to ensure that the mission drives the ROE and not vice-versa.

- **Understandable.** ROE should be unambiguous and written in terms that soldiers can understand.
- **Legally sufficient.** ROE comply with domestic and international laws including the body of law pertaining to armed conflict. Thus, ROE never justify illegal actions.
- **Responsive.** The development, distribution, training, and modification of ROE must be timely and responsive to a changing mission and threat.

STANDING RULES OF ENGAGEMENT

C-8. The joint chiefs of staff have provided the standing rules of engagement (SROE) as baseline guidance for armed forces worldwide. This guidance equally applies to all the combatant commands and can be easily and quickly amended or clarified by mission-specific ROE. See CJCSI 3121.01A for amplification of SROE. SROE apply in the absence of specific guidance from higher authority.

C-9. The SROE provide a common template for developing and implementing ROE across the range of military operations. They include lists of numbered supplemental measures that may be provided by, or requested from, higher authority. The supplemental measures provided in the SROE are intended as a planning tool to tailor ROE for a particular situation. Some examples are—

- Combatant commanders may augment the SROE to respond to the mission and threat in their area of responsibility.
- Joint task force commanders distill SROE and the combatant commander's specific ROE into rules for the unit commander and soldier to apply in the field.
- Commanders at all levels continually review the ROE to ensure their effectiveness in light of current and projected conditions in their area of operations.

C-10. SROE apply to armed forces in support of operations under operational or tactical control of a combatant commander or performing missions under direct control of the president, military departments, or other US government departments or agencies. SROE do not apply to multinational forces or in domestic support operations. AR 190-14 addresses the use of force in domestic support operations.

INTERPRET, DRAFT, DISSEMINATE, TRAIN METHOD

C-11. Commanders and staffs at all echelons use the four facets of the interpret, draft, disseminate, and train methodology to incorporate ROE into the conduct of military operations. FM 1-04 provides doctrine on ROE. The *Operational Law Handbook* and the *ROE Handbook for Judge Advocates* contain additional information on ROE.

C-12. ROE methodology is conducted throughout the military decision making process with the S3, the brigade staff judge advocate (SJA), and staff officers engaged in targeting. The interpretation and drafting of ROE require special attention from the SJA:

- **Interpret.** Operational lawyers are instrumental in interpreting ROE. This may require constant situational understanding by the SJA made possible through his presence at command posts as required.
- **Draft.** In some operations, ROE are *top-driven*, meaning that the higher echelon commander establishes ROE that must be disseminated verbatim to all lower echelons. In contrast, *top-fed* ROE are established for the immediately subordinate echelon. This allows the ROE to be tailored to the particular unit's situation. When the rules are *top-fed*, commanders and staffs down to brigade level draft ROE for their commands. Figure C-1 contains some of the areas considered in drafting ROE. Figure C-2 shows where ROE information is included in an operation plan or order.

Rules of Engagement Considerations	
<ul style="list-style-type: none"> • International law • Operational concerns (mission requirements) • Commander's intent • Threat • Tactics and weapons systems organic to the force • Legal requirements (host nation, domestic) • US policy (considering United Nations resolutions and international agreements) 	

Figure C-1. Considerations in Drafting ROE

Where to Find ROE	
Theater and joint task force (JTF) level	Appendix 8 (ROE) to Annex C (Operations) of the operations plan (OPLAN) or operation order (OPORD)
Corps, division, brigade level	Annex E (ROE) to the OPLAN or OPORD

Figure C-2. Where ROE Information is Included in an OPLAN or OPORD

- **Disseminate.** ROE are distributed through the chain of command via a campaign plan, operation plan, or operation order. Additional methods can be used, such as ROE matrices or "ROE conditions" in tactical standing operating procedures. ROE cards are often used to disseminate soldier-relevant rules to the lowest levels. (Figure C-3 beginning on page C-5 shows a ROE card used in operations in Bosnia.) In multinational operations, ROE must be developed in a format that can be promptly distributed to other nations. A coalition support team, if present, can assist in translating, interpreting, distributing, and teaching ROE to multinational forces. All forces must have the same understanding of the ROE.
- **Train.** Soldiers execute in the manner they train; they carry out their tasks in compliance with the ROE when trained to do so. The best training on ROE is situational training. Situational training exercises focus on one or a small group of tasks—within a particular mission

scenario—and require that soldiers practice until the tasks can be executed to the pre-established standard.

Bosnia—SFOR
20 December 1996

NATO UNCLASSIFIED

SFOR—OPERATION CONSTANT GUARD

Commander's Guidance on Use of Force

MISSION

Your mission is to stabilize and consolidate the peace in Bosnia and Herzegovina

SELF-DEFENSE

1. You have the right to use force (including authorized weapons as necessary) in self-defense.
2. Use only the minimum force necessary to defend yourself.

GENERAL RULES

1. Use the minimum force necessary to accomplish your mission.
2. Hostile forces/belligerents who want to surrender will not be harmed. Disarm them and turn them over to your superiors.
3. Treat everyone, including civilians and detained hostile forces/belligerents, humanely.
4. Collect and care for the wounded, whether friend or foe.
5. Respect private property. Do not steal. Do not take "war trophies".
6. Prevent and report all suspect violations of the law of Armed Conflict to superiors.

CHALLENGING AND WARNING SHOTS

1. If the situation permits, issue a challenge:
In English: "SFOR! STOP OR I WILL FIRE!"
or in Serbo-Croat: "SFOR! STANI ILI PUCAM!"
Pronounced as: "SFOR! STANI EEL LEE PUTSAM!")
2. If the person fails to halt, you may be authorized by the on-scene commander or by standing orders to fire a warning shot.

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Figure C-3. Bosnia Operations ROE Card

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OPENING FIRE

1. You may open fire only if you, friendly forces, or persons or property under your protection are threatened with deadly force. This means:

You may open fire against an individual who fires or aims his weapon at you, friendly forces, or persons with designated special status under your protection.

You may open fire against an individual who plants, throws, or prepares to throw an explosive or incendiary device at you, friendly forces, or persons with designated special status or property with designated special status under your protection.

You may open fire against an individual who deliberately drives a vehicle at you, friendly forces, persons with a designated special status or property with designated special status under your protection.

2. You may also fire against an individual who attempts to take possession of friendly forces weapons, ammunition, or property with designated special status, and there is no other way of avoiding this.

3. You may use minimum force, including opening fire, against an individual who unlawfully commits, or is about to commit, an act which endangers Life, or is likely to cause serious bodily harm, in circumstances where there is no other way to prevent the act.

MINIMUM FORCE

1. If you have to open fire, you must:

- Fire only aimed shots, and
- Fire no more rounds than necessary, and
- Take all reasonable efforts not to unnecessarily destroy property, and
- Stop firing as soon as the situation permits.

2. You may not intentionally attack civilians or property that is exclusively civilian or religious in character, except if the property is being used for military purpose and engagement is authorized by your commander.

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Figure C-3. Bosnia Operations ROE Card (continued)